



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.6590 OF 2022

W.M.P.NOS.6721 AND 6723 OF 2022

1.M.Ramesh

2.M.Sundar

3.M.Sivaraj

... Petitioners

Vs.

1. The Secretary to Government,
Commercial Taxes, Registration and Stamp Act,
Government of Tamilnadu,
Secretariat,
Fort St.George, Chennai-600 009.

2. The Inspector General of Registration,
Santhome, Chennai.

3. The District Registrar (Administration),
South Chennai,
Guindy, Chennai.

4. The Sub-Registrar,
Office of the Joint -1 Sub-Registrar,
South Chennai,
Guindy, Chennai.

5. K.Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records pertaining to the proceedings which has been culminated in the order dated 05.01.2022 in Na.Ka.No. 8030/2/2021 passed by 3rd respondent and quash the same.



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For Petitioners : Mr.P.K.Sabapathi
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Certiorari, to call for the records pertaining to the proceedings in the order dated 05.01.2022 in Na.Ka.No.8030/92/2021 passed by 3rd respondent and quash the same.

2. The learned Special Government Pleader appearing on behalf of the respondents take notice for the official respondent. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed as against the private respondents, notice to the private respondents is dispensed with.

4. The case of the petitioners is that the 3rd respondent has passed an order dated 05.01.2022 in Na.Ka.No.8030/92/2021, stating that the settlement deed executed by petitioner's father in Document No.5945/2003 and the partition deed executed among the petitioners in Document No.6008/2018 on the file of Sub-Registrar South Chennai are fake documents. Challenging the same, this writ petition is filed with the above said prayer.

5. The learned counsel for the petitioners fairly submitted that though the petitioners challenged the 3rd respondent order, as there is a effective remedy available before the appellate authority namely the 2nd respondent, this Court may permit the petitioners to approach the 2nd respondent and workout the remedy in the manner known to law.

6. The learned Special Government Pleader appearing on behalf of the respondents has no serious objection for the said order being passed.

7. In view of the fair submission made by the learned counsel for the petitioner, as there is a effective Appeal remedy available before the 2nd respondent / Appellate Authority,



filing the present Writ petition is not sustainable. Hence, this Writ petition is dismissed. No costs. However, liberty is granted to the petitioner to approach the appellate authority/2nd respondent, to work out the remedy in the manner known to law. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Secretary to Government,
Commercial Taxes, Registration and Stamp Act,
Government of Tamilnadu,
Secretariat,
Fort St.George, Chennai-600 009.
2. The Inspector General of Registration,
Santhome, Chennai.
3. The District Registrar (Administration),
South Chennai,
Guindy, Chennai.
4. The Sub-Registrar,
Office of the Joint -1 Sub-Registrar,
South Chennai,
Guindy, Chennai.

+1cc to M/s.P.K.Sabapathi, Advocate, S.R.No.19443

+1cc to the Government Pleader, S.R.No.20400

W.P.No.6590 of 2022

PMK (CO)
RLP (06/04/2022)